

REMARKS

Claims 1-8 are present in the application.

Applicant respectfully submits that the present amendment to the specification can be introduced without raising new issues or requiring additional search since it merely puts in definitional form what is already clearly present in the application (see inter alia page 1, lines 6 and 7) and what Applicant has been arguing throughout the prosecution of this application. Applicant has not changed his position one iota, he has merely amended the specification to more clearly state his position in a manner that is hopefully comprehensible to the Examiner.

All claims are rejected under 35 U.S.C. § 112.

All claims are rejected as unpatentable over Wang U.S., 5,828,183 in view of Wang U.S., 5,969,469 and Tsui US, 5,967,823, under the standard set by the Examiner in the first full paragraph on page 3 of the Office Action "This application has been examined considering a twinkle bulb as a flashing control bulb. In addition, the limitations 'standard bulb socket' and 'non-standard bulb socket' are not given patentable weight."

The present application has been amended to provide a paragraph of definitions which are fully consistent with the usage of terms in the application and especially with the usage in page 1, lines 6 and 7, as follows: "UL Standard 588 distinguishes between the flasher bulb (LAMP, FLASHING) and the twinkle bulb (LAMP, INDIVIDUAL FLASHING)." Applicant respectfully submits that the clear meaning of these two introductory lines of the application is that the term "flasher bulb" will be used for a

lamp according to par. 5.16 of the Standard, while the term "twinkle bulb" will be used for a lamp according to par. 5.17 of the Standard. Applicant respectfully submits that no other interpretation of the terminology used in the specification is consistent with the explanation and characterizations set forth in the BACKGROUND OF THE INVENTION at page 1, lines 6-page 4, line 2.

If the Examiner cannot comprehend the distinction between a Standard par. 5.16 flashing lamp and a Standard par. 5.17 individual-flashing lamp, then he cannot hope to comprehend the present invention. These two types of bulbs are different in a critical respect. The 5.16 bulb does not present a safety hazard since the biometallic strip merely opens the circuit; the 5.17 individual-flashing lamp does present a safety hazard. In an individual-flashing lamp, when the biometallic strip opens, it deactivates only that bulb filament and simultaneously bypasses the filament so that the circuit remains activated. As a result, the current is not reduced by the resistance of the filament, resulting in higher current throughout the remainder of the circuit. If too many individual flashing lamps are used, there will be a current overload condition. As noted in the Application (page 3, lines 14-23), replacement of standard bulbs by twinkle bulbs can lead to "melting of conductors, burning of insulation, fires, and the like."

The very essence of the present invention is that such dangers can be obviated if twinkle bulbs are configured and dimensioned such that they do not fit into the standard bulb sockets designed for non-twinkle bulbs and thus cannot be used to replace the non-twinkle bulbs which the light set manufacturer has put into the standard sockets. Rather, the uniquely configured and dimensioned twinkle bulbs of the present invention

can be received only in the limited number of appropriately configured and dimensioned non-standard sockets which the manufacture has included in the circuit expressly and exclusively for receipt of the twinkle bulbs of the present invention. Thus, the present invention recognizes the uniquely potentially dangerous characteristics of the twinkle bulb and provides it with a unique configuration and dimensions such that it can only be received in the limited number of sockets expressly provided therefor by the manufacturer.

Once the distinctions made by the Applicant are comprehended by the Examiner, the total irrelevance of the cited references used in the rejection will be manifest and self-evident (as set forth in the prior Amendment).

In view of the above amendment and remarks, reconsideration of the rejection and allowance of all claims is respectfully requested.

Although the BACKGROUND OF THE INVENTION expressly distinguishes between a twinkle bulb (Standard par. 5.17) and a flasher bulb (Standard par. 5.16), the Examiner persists in refusing to accept the distinction. If he persists in his refusal, it is requested that he call Applicant's undersigned attorney so that this matter of definition can be resolved and the application considered on its merits.

There is absolutely no basis whatsoever for the Examiner's suggested distinction that:

"a twinkle bulb" bulb [sic] emits a light continuously at different light intensity, whereas, "a flashing bulb" emits light intermittently (on/off cycle).

Accordingly, the suggested terminology of the Examiner regarding "constant light intensity light bulb socket" and "variable light intensity bulb socket" is simply inapplicable.

If an extension of time is required to enable this document to be timely filed and there is no separate Request for Extension of Time, this document is to be construed as also constituting a Request for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed. Any fee required for such a Request for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17 and not submitted herewith should be charged to the Deposit Account of the undersigned attorneys, Account No. 01-1785; any refund should be credited to the same account. One copy of this document is enclosed.

Respectfully submitted,

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